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CITY OF ORLANDO

July 27, 2007

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Mr. Vernon A. Williams
Secretary
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

RE: STB Docket No. AB-55 (Sub-No. 681X), CSX Transportation Inc
Abandonment Exception in the City of Orlando, Florida

Dear Mr. Williams:

The City of Orlando has recently become aware of the abandonment procedure step taken by CSX Transportation, Inc. concerning a segment of rail line. In the attached letter we are documenting our interest in establishing a trail use for that property, as an extension of the Orlando Urban Trail. We are including the required \$150 application fee as part of our letter. We would however request that the \$150 application fee be waived for our agency. If we are successful through the abandonment procedure and obtain this property, we will be adding a vital link to the City of Orlando's multipurpose urban trail.

Sincerely,

Roger Neiswender
Transportation Director

Cc: CSX Transportation, Inc.
The Trust for Public Land

APPLICATION FEE WAIVED

TRANSPORTATION DEPARTMENT



CITY OF ORLANDO

July 27, 2007

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

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STB

Re: STB Docket No. AB-55 (Sub-No. 681X), CSX Transportation Inc.- Abandonment
Exception in the City of Orlando, Florida

Dear Mr. Williams:

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the City of Orlando, Florida, which is a government agency interested in transportation, natural resources, and conservation and recreation, which is hereinafter referred to as "Commenter."

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization for the Mills & Nebraska Lead from Orange Avenue (Milepost ST 815.88) to Virginia Drive (Milepost ST 816.57).

A. Public Use Condition

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition is that this section of corridor would make an excellent extension for the City of Orlando's Urban Trail which connects the City's cultural park of the Orlando Museum of Art, Orlando Science Center, Rita and John Lowndes Shakespeare Theatre, and the Mennello Museum of Folk Art. This section of corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because we have not had an opportunity to assemble or to review title information, environmental information or commence negotiations with the carrier.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

TRANSPORTATION DEPARTMENT

CITY OF ORLANDO • 400 SOUTH ORANGE AVENUE • PO BOX 4990 • ORLANDO, FLORIDA 32802-4990
PHONE 407-246-2522 • FAX 407-246-3392 • <http://www.cityoforlando.net>

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Commenter also makes the following request:

STATEMENT OF WILLINGNESS
TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29, City of Orlando is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by CSX Transportation Inc. and operated by CSX Transportation Inc.

The property, known as the Mills and Nebraska Lead or the Dinky Spur extends from railroad milepost ST 815.88 near Orange Avenue, to railroad milepost ST 816.57, near Virginia Drive, a distance of 0.69 mile in Orange County, Florida. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-No. 681X).

A map depicting the right-of-way is attached.

The City of Orlando acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon CSX , Jonathan C. Gold, 500 Water Street, J150 Jacksonville, FL 32202, by US Mail, postage pre-paid, first class, this _27_ day of ____ July, 2007.

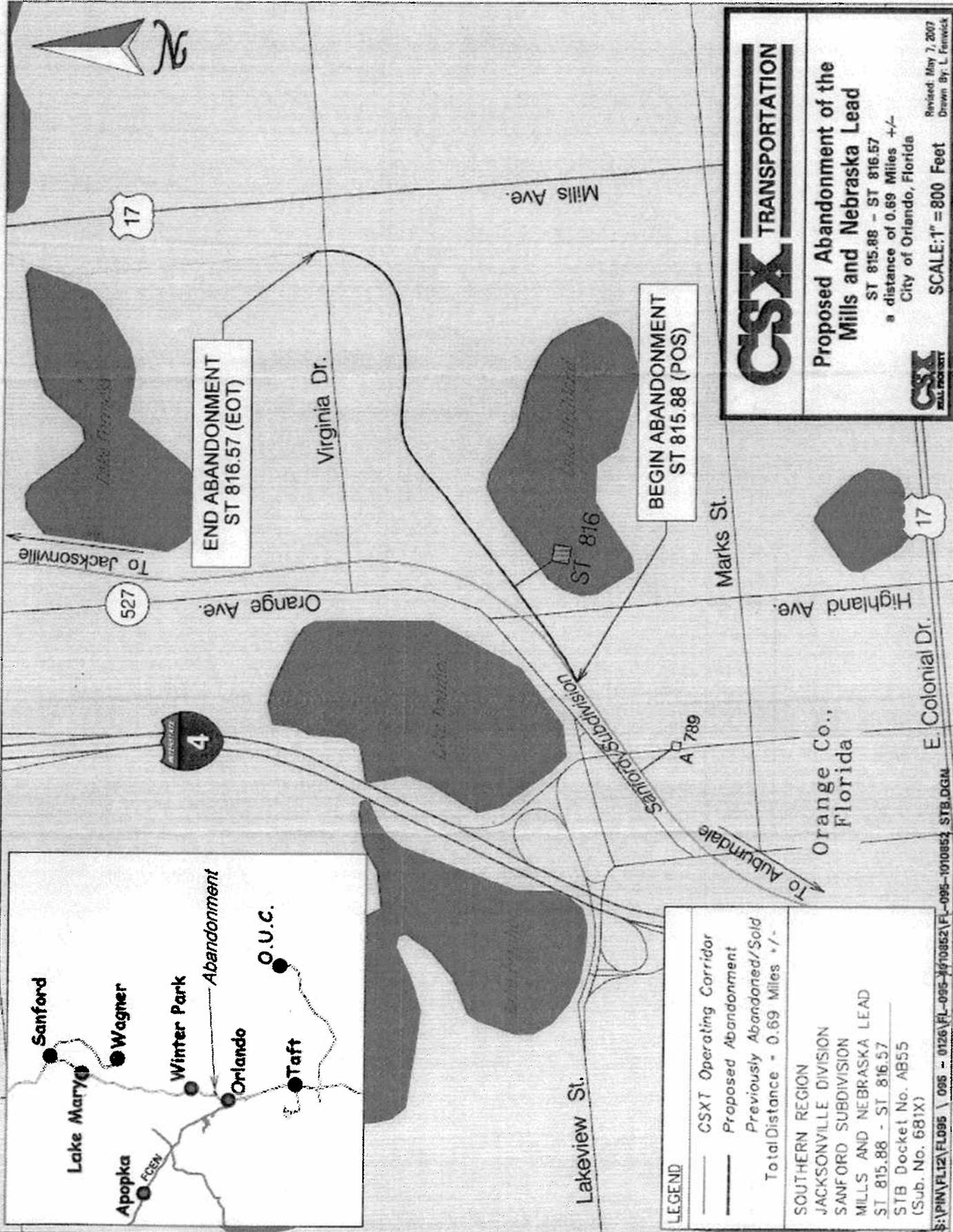
Respectfully submitted,



Roger Neiswender
Transportation Director

Cc: CSX Transportation, Inc.
The Trust for Public Land

Attachments



Sanford
Wagner
Winter Park
Orlando
Taft
O.U.C.

Lake Mary
Apopka
FCBY

Abandonment

ST 815.88 - ST 816.57

ST 816

ST 815.88 (POS)

ST 816.57 (EOT)

Virginia Dr.

Orange Ave.

Marks St.

Highland Ave.

E Colonial Dr.

Lakeview St.

Sanford Division

To Jacksonville

To Auburdate

Orange Co., Florida

4

527

17

17

A 789

Mills Ave.

City of Orlando, Florida

Distance of 0.69 Miles +/-

ST 815.88 - ST 816.57

STB Docket No. AB55 (Sub. No. 681X)

CSX TRANSPORTATION

Proposed Abandonment of the Mills and Nebraska Lead

SCALE: 1" = 800 Feet

LEGEND

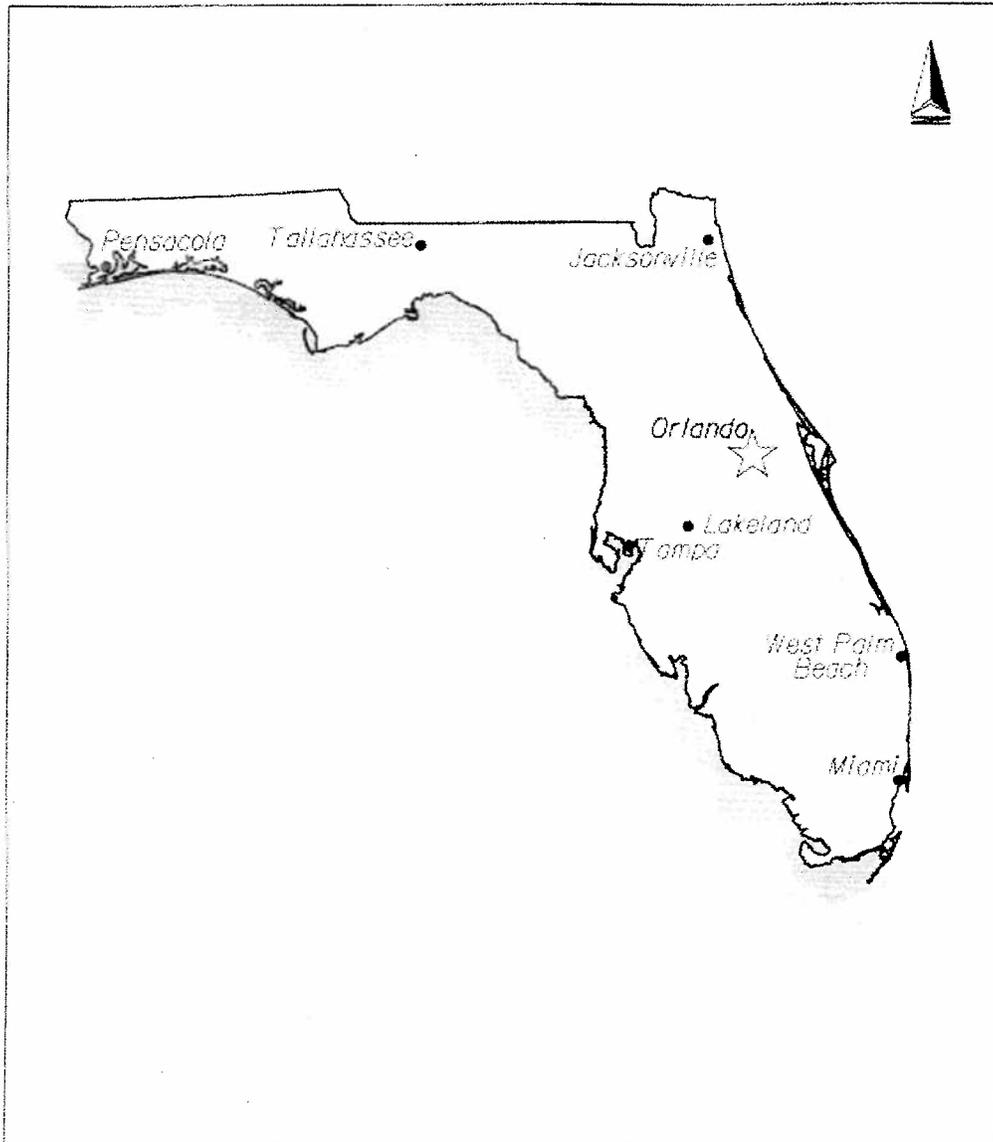
- CSXT Operating Corridor
- Proposed Abandonment
- Previously Abandoned/Sold

Total Distance = 0.69 Miles +/-

SOUTHERN REGION
 JACKSONVILLE DIVISION
 SANFORD SUBDIVISION
 MILLS AND NEBRASKA LEAD
 ST 815.88 - ST 816.57
 STB Docket No. AB55
 (Sub. No. 681X)

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Revised: May 7, 2007
 Drawn By: L. Fenwick



AREA MAP

Proposed Abandonment of the "Mills & Nebraska Lead"
~ 0.69 Miles (+/-) From Milepost ST 815.88 to ST 816.57
STB Docket No. AB 55 - Sub. No. 681X
Orange County, Florida

SOUTHERN REGION - JACKSONVILLE DIVISION - SANFORD SUBDIVISION